UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,827	05/11/2001	Alex Lang	4989-009	6461

27820   7590   08/02/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2136	

MAIL DATE	DELIVERY MODE
08/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		09/853,827	LANG ET AL.
		Examiner	Art Unit	
		Brandon S. Hoffman	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 May 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5,6,9-11,17,20 and 24-31* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5,6,9-11,17,20 and 24-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claim 1, 3, 5, 6, 9-11, 17, 20, and 24-31 are pending in this office action.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 1,

2007, has been entered.

3.   Applicant's arguments, filed May 1, 2007, are moot in view of the new ground of

rejection.

Rejections

4.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 103

5.   <u>Claims 1, 3, 5, 6, 9-11, 17, 20, and 24-31</u> are rejected under 35 U.S.C. 103(a) as

being unpatentable over <u>Andersson</u> (U.S. Patent Pub. No. 2002/0034301, provisional

application number 60/226895, with filing date of August 23, 2000) in view of <u>Thomas et al.</u> (U.S. Patent No. 6,529,992).

Regarding <u>claim 1</u>, <u>Andersson</u> teaches a portable device for engaging a host computing device comprising:

- A body (fig. 1, ref. num 10);

- A memory within the body containing (paragraph 0020):

  - Configuration indicia to subsequently identify the portable device to the host computing device as a **cryptographic service provider** and provide configuration instructions to allow the host computing device to effectively interact with the portable device as the **cryptographic service provider** (paragraph 0023); **and**

  - **Service indicia providing instructions to provide a service corresponding to the cryptographic service provider** (paragraph 0040);

- An interface associated with the memory and adapted to facilitate interaction with the host computing device (paragraph 0012); **and**

- **A processing unit associated with the memory, wherein the service indicia includes instructions for the processing unit to provide the service corresponding to the cryptographic service provider to the host computing device** (paragraph 0040-0042)

Andersson does not specifically teach initial identification indicia to initially

identify the portable device to the host computing device as a **storage device**, which is

known to the host computing device. However, Andersson does teach a mobile device

that utilizes a smart card, which is known to have storage (see paragraph 0020).

Thomas et al. teaches initial identification indicia to initially identify the portable

device to the host computing device as a **storage device**, which is known to the host

computing device (col. 5, lines 25-44).

It would have been obvious to one of ordinary skill in the art, at the time the

invention was made, to combine initially identifying the portable device to the host

computing device as a **storage device**, as taught by Thomas et al., with the device of

Andersson. It would have been obvious for such modifications because portable

devices, such as those by Andersson and Thomas et al., contain memories with data

stored on them; identifying the portable device as a storage device enables the stored

data to be retrieved.

Regarding claim 3, Andersson as modified by Thomas et al. teaches wherein the

service indicia includes instructions for the host computing device to provide the service

for applications running on the host computing device (see col. 4, lines 8-16 of Thomas

et al.).

Regarding claim 5, Andersson as modified by Thomas et al. teaches wherein the

configuration indicia includes a file executable on the host computing device to

reconfigure the host computing device to recognize and interact with the portable device

as the cryptographic service provider (see fig. 4 of Thomas et al.).

Regarding claim 6, Andersson as modified by Thomas et al. teaches wherein the

memory further contains an application to run on the host computing device (see col. 4,

lines 8-16 of Thomas et al.).

Regarding claim 9, Andersson as modified by Thomas et al. teaches wherein

said memory further contains at least one of the group consisting of private

cryptography key, public cryptography key, and cryptography algorithm (see paragraph

0019 of Andersson).

Regarding claim 10, Andersson as modified by Thomas et al. teaches wherein

the interface is one of the group consisting of electrical, optical, and radio frequency

(see fig. 2, ref. num 102 of Thomas et al.).

Regarding claims 11 and 20, Andersson as modified by Thomas et al. teaches

wherein the memory further contains deregistering indicia providing instructions for the

host computing device to reconfigure the host computing device to a configuration state

prior to interacting with the portable device (see col. 9, lines 35-46 of Thomas et al.).

Regarding <u>claim 17</u>, <u>Andersson</u> teaches a method comprising:

- Automatically identifying the portable device to the host computing device as a **cryptographic service provider** (paragraph 0023);

- Enabling the portable device as the **cryptographic service provider** with the host computing device based on information provided on the portable device (paragraph 0040); **and**

- Providing a service corresponding to the **cryptographic service provider** for applications running on the host computing device based on the information provided by the portable device (paragraph 0040-0042).

<u>Andersson</u> does not specifically teach identifying a portable device to a host computing device as a **storage device**, which is known to the host computing device and registering the portable device with **the** host computing device as the **storage device**. However, <u>Andersson</u> does teach a mobile device that utilizes a smart card, which is known to have storage (see paragraph 0020).

<u>Thomas et al.</u> teaches identifying a portable device to a host computing device as a **storage device**, which is known to the host computing device (col. 5, lines 25-44); and registering the portable device with **the** host computing device as the **storage device** (fig. 4).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine initially identifying the portable device to the host computing device as a **storage device**, as taught by <u>Thomas et al.</u>, with the method of <u>Andersson</u>. It would have been obvious for such modifications because portable devices, such as those by Andersson and Thomas et al., contain memories with data stored on them; identifying the portable device as a storage device enables the stored data to be retrieved.

Regarding <u>claim 24</u>, <u>Andersson</u> as modified by <u>Thomas et al.</u> teaches wherein the body and memory are integrally formed with one another such that the memory is not readily removed form the body (see fig. 2 of Thomas et al., all components are sealed in a single package).

Regarding <u>claim 25</u>, <u>Andersson</u> as modified by <u>Thomas et al.</u> teaches wherein the memory contains at least four megabytes of flash memory (see col. 4, lines 44-56 of Thomas et al., Zip disks are well known to have more than 4 MB's of memory).

Regarding <u>claim 26</u>, <u>Andersson</u> as modified by <u>Thomas et al.</u> teaches wherein the cleansing indicia includes instructions to de-register the cryptographic service provider so as to prevent access to selected functions, services, and drivers after the portable device has been removed (see col. 9, lines 35-46 of Thomas et al.).

Regarding claims 27 and 28, Andersson as modified by Thomas et al. teaches cleansing indicia providing instructions for the host computing device to remove at least certain information from the host computing device indicative of use of the host computing device while associated with the portable device (see fig. 3, ref. num 228-234 of Thomas et al.).

Regarding claim 29, Andersson as modified by Thomas et al. teaches wherein the providing a service corresponding to the cryptographic service provider for applications running on the host computing device further comprises providing instructions for a processing unit associated with a memory of the portable device to provide to service corresponding to the cryptographic service provider to the host computing device (see paragraph 0040-0042 of Andersson).

Regarding claim 30, Andersson as modified by Thomas et al. teaches further comprising executing a file on the host computing device to reconfigure the host computing device to recognize and interact with the portable device as the cryptographic service provider (see paragraph 0041-0042 of Andersson).

Regarding claim 31, Andersson as modified by Thomas et al. teaches removing at least certain information from the host computing device indicative of use of the host computing device while associated with the portable device (see col. 9, lines 35-46 of Thomas et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.
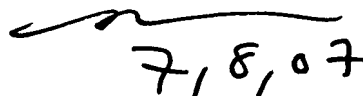
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon Hoffman/

BH

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7/8/07